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|-----|---|---|--|
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| 10  | [Proposed] Liaison Counsel  |   |  |
| 11  | BROWER PIVEN, A Professional Corporation                                    |   |  |
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| 15  | [Proposed] Lead Counsel for Plaintiffs                                      |   |  |
| 16  | UNITED STATES DISTRICT COURT  |   |  |
| 17  | NORTHERN DISTRICT OF CALIFORNIA   |   |  |
| 18  | FRANK HODGES, Individually and on Behalf) of All Others Similarly Situated, | No. 09-cv-04073-MMC   |  |
| 19  | Plaintiff,  | CLASS ACTION  |  |
| 20  |   | STIPULATION AND <del>[PROPOSED]</del> ORDER SETTING HEARING DATE ON MOTIONS |  |
| 21  | VS. )   | TO CONSOLIDATE AND FOR  |  |
| 22  | IMMERSION CORPORATION, et al.,  | APPOINTMENT OF LEAD PLAINTIFF<br>AND APPROVAL OF LEAD COUNSEL               |  |
| 23  | Defendants. )   |   |  |
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| 1   | WHEREAS there are presently pending in this district five securities class action lawsuits        |  |
| 2   | ("Related Actions") brought on behalf of all persons who purchased or otherwise acquired the      |  |
| 3   | publicly-traded securities of Immersion Corporation ("Immersion" or the "Company") between May    |  |
| 4   | 3, 2007 and July 1, 2009 (the "Class Period");  |  |
| 5   | WHEREAS the Related Actions assert claims pursuant to the Securities Exchange Act of              |  |
| 6   | 1934 ("Exchange Act"), and must meet requirements under the Private Securities Litigation Reform  |  |
| 7   | Act of 1995 ("PSLRA");  |  |
| 8   | WHEREAS pursuant to the PSLRA, any member of the purported class may move to be                   |  |
| 9   | appointed as lead plaintiff within 60 days of the published notice of the first-filed action;     |  |
| 10  | WHEREAS pursuant to the PSLRA, movant John P. Loos and movant Norbert Muller each                 |  |
| 11  | timely filed separate motions for appointment as lead plaintiff on November 2, 2009;              |  |
| 12  | WHEREAS movant Norbert Muller noticed a hearing date for his lead plaintiff motion as             |  |
| 13  | December 11, 2009;  |  |
| 14  | WHEREAS movant John P. Loos noticed a hearing date for his lead plaintiff motion as               |  |
| 15  | December 18, 2009;  |  |
| 16  | WHEREAS both movants believe that their motions should be heard on the same date as               |  |
| 17  | they both involve the issues of consolidation of the Related Actions and who will be appointed as |  |
| 18  | lead plaintiff and lead counsel for the putative class;   |  |
| 19  | Movants John P. Loos and Norbert Muller therefore stipulate, subject to Court approval, and       |  |
| 20  | by and through their respective counsel, that the Motion for Consolidation, Appointment of Lead   |  |
| 21  | Plaintiff and Approval of Selection of Lead Counsel filed by John P. Loos on November 2, 2009,    |  |
| 22  | and the Motion for Consolidation of Related Actions, Appointment as Lead Plaintiff and Approval   |  |
| 23  | of Co-Lead Counsel filed by Norbert Muller on November 2, 2009 both be heard on December 18,      |  |
| 24  | 2009 at 9:00 a.m. in Courtroom 7 of the Honorable Maxine M. Chesney.                              |  |
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| 1 2 3      | DATED: November 13, 2009 | COUGHLIN STOIA GELLER<br>RUDMAN & ROBBINS LLP<br>DARREN J. ROBBINS<br>TRICIA L. McCORMICK |
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| 9          |                          | COUGHLIN STOIA GELLER<br>RUDMAN & ROBBINS LLP<br>WILLOW E. RADCLIFFE                      |
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| 12         |                          | 415/288-4534 (fax) [Proposed] Liaison Counsel   |
| 13  <br>14 |                          | BROWER PIVEN, A Professional Corporation DAVID A.P. BROWER                                |
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| 16         |                          | 212/501-0300 (fax)  |
| 17         |                          | Counsel for Lead Plaintiff Movant John P. Loos  |
| 18<br>19   | DATED: November 13, 2009 | GLANCY BINKOW & GOLDBERG LLP<br>LIONEL Z. GLANCY<br>MICHAEL GOLDBERG                      |
| 20         |                          |   |
| 21         |                          | s/ MICHAEL GOLDBERG<br>MICHAEL GOLDBERG   |
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1 KIRBY McINERNEY, LLP 2 IRA M. PRESS STEVEN COHN 825 Third Avenue. 16th Floor 3 New York, NY 10022 Telephone: 212/317-2300 4 212/751-2540 (fax) 5 Attorneys for Movant Norbert Muller and Proposed Co-Lead Counsel 6 7 8 ORDER 9 Having considered the stipulation between lead plaintiff movants John P. Loos and Norbert Muller, and good cause appearing therefore, the Court ORDERS as follows: 10 1. The Motion for Consolidation, Appointment of Lead Plaintiff and Approval of 11 Selection of Lead Counsel filed by John P. Loos on November 2, 2009, and the Motion for 13 Consolidation of Related Actions, Appointment as Lead Plaintiff and Approval of Co-Lead Counsel filed by Norbert Muller on November 2, 2009 both be heard on December 18, 2009 at 9:00 a.m. in 14 15 Courtroom 7 of the Honorable Maxine M. Chesney. Pursuant to Stipulation, it is so Ordered. 16 17 Dated: November 16, 2009 18 19 S:\CasesSD\Immersion 09\Lead Plantiff\STP00063031 and Order.doc 20 21 22 23 24 25 26 27 28